

MEMORANDUM OF UNDERSTANDING
between the
BELLEVUE EDUCATION ASSOCIATION
and the
BELLEVUE SCHOOL DISTRICT

Regarding Conditions Necessary for Broader Re-Opening of In-Person Instruction and Services

The Bellevue Education Association and the Bellevue School District recognize the importance of adapting to continually evolving conditions and circumstances facing our schools and community during the COVID-19 pandemic. Ensuring the safety and health of our staff, students, and families is of the utmost importance in considering the best ways to begin broader re-opening of school sites and the phased re-introduction of in-person instruction for most students within the district. In order to best meet these needs, the following provisions shall apply to virtual and in-person instruction under the temporary hybrid model.

1. **Return to Broad In-Person Instruction and Targeted Services Timeline:** Any stage or phase of reopening schools for in-person instruction will be announced no less than ten (10) work days in advance to all affected staff. All Certificated staff will have at least ten (10) work days prior notice before their work assignment is scheduled to begin in hybrid in-person settings. Affected staff will receive direct notification from Human Resources of any reopening first, followed thereafter by communication to students and families. Adequate preparation for staff and students to return to broad in-person instruction will adhere to the following steps and timelines. Any component of these steps that has not been met according to the timelines below will result in the delayed reopening of the affected school site(s).
 - a. **Assigning Leads:** Building administrators and/or Building Safety Teams will assign a Screening Lead, Infection Control Lead, COVID-19 Isolation Coordinator, COVID-19 Coordinator, and a Verification Lead (representing the BEA to check progress and submit documentation to Human Resources) for each building no fewer than five (5) work days prior to a return to in-person instruction to allow for adequate training of individuals in responsibilities for these roles and communication with staff regarding who to contact with questions.
 - b. **Facilities Preparation:** Each school building in coordination with the school administrators and/or Building Safety Team will:
 - i. Determine which entrances will be used for entry and exit by students and staff and add appropriate signage to all at least three (3) work days prior to a return to in-person instruction.
 - ii. Designate specific staff bathrooms for use by other BSD employees, including bus drivers, closest to designated entrances and provide appropriate signage at least three (3) work days prior to a return to in-person instruction.
 - iii. Set up common spaces including but not limited to staff lounges, shared offices, and copy rooms to meet physical distancing and health safety requirements at least three (3) work days prior to a return to in-person instruction.
 - iv. Set up all school entrances that will be used with handwashing or hand-sanitizing stations, extra disposable masks, attestation collection materials, and visitor procedure signage at least one (1) work day prior to a return to in-person instruction.

- v. Ensure all waiting areas for screening, including school entrances, have clearly marked six (6) foot separations for physical distancing while in screening lines at least one (1) work day prior to a return to in-person instruction.
- vi. Secure BSD provided safety materials including but not limited to no-touch thermometers, disposable gowns, cleaning supplies, masks, face-shields, and safety signage templates, clearly communicating to affected staff where these materials are located at least three (3) work days prior to a return to in-person instruction.
- vii. Mark hallways and stairwells with directional arrows to ensure “one way,” single file transition from doors to classrooms at least one (1) work day prior to a return to in-person instruction.
- viii. Identify an Isolation Room designated for students who show symptoms at least one (1) work day prior to a return to in-person instruction.

Should additional health and safety concerns exist with a specific facility, building administration and Building Safety Teams will work together to address any site-specific issues.

- c. **Systems Preparation:** Each school building at the direction of the school administrators and/or Building Safety Teams will:
 - i. Determine and communicate an appropriate system for entry screening (building entrance or classroom entrance) along with a schedule of staff assignments for screening that has the least possible infringement upon learning time and does not infringe upon guaranteed educator preparation time at least three (3) work days prior to a return to in-person instruction to allow for adequate training of individuals.
 - ii. Develop and communicate an appropriate plan for student arrival and dismissal procedures including needed staffing, routes, physically distanced designated waiting areas, staggered times, etc. at least three (3) work days prior to a return to in-person instruction to allow for adequate training of individuals.
 - iii. Develop and communicate procedures to facilitate pick up and drop off of emergency items (medication, food due to dietary restrictions, personal hygiene needs, etc.) from parent(s)/guardian(s) to students should those items be deemed emergent at least three (3) work days prior to a return to in-person instruction to allow for adequate communication time.
 - iv. Survey classroom facilities and assign each staff member to a classroom or workspace adequate to meeting the physical distancing requirements dictated by the class enrollment (ex: if a class section has 18 students enrolled, the classroom assigned to that educator must be large enough to accommodate that large a group) at least five (5) work days prior to a return to in-person instruction to allow for moving and classroom setup.
 - v. Ensure that each classroom and common space for staff is equipped with adequate cleaning and sanitizing supplies for shared touchable surfaces at least three (3) work days prior to a return to in-person instruction.

- 2. **Staff Training:** All certificated staff are required to be provided and complete the identified training below in advance of any in-person services. A portion of the time for this training will be provided through additional independent asynchronous time in the two (2) work days leading up to any return to targeted and/or broad in-person instruction as outlined in Section 3 of this MOU.

- a. SafeSchools COVID19 training.
 - b. Site specific training related to safety and procedures prior to the employee returning to in-person work.
 - c. Role specific training regarding physical distancing and other safety measures prior to returning to in-person work. Such role-specific training shall include positions that may have greater risk of exposure, including but not limited to, Nurses, OT, PT, SLP, Special Education or other roles.
 - d. All training shall be in accordance to the most recent safety guidelines as determined by OSHA and L&I.
- 3. Classroom and in-person materials setup:** In acknowledgement of the time necessary for moving materials between classrooms and setting up learning spaces necessitated by circumstances related to COVID-19, the two (2) work days prior to a return to in-person instruction will be entirely asynchronous time for affected staff and students. Educational activities during this asynchronous time will be as independently oriented as possible to continue student education while providing educators freedom to set up and prepare adequately for in-person instruction. During this time, at least one (1) hour of developmentally appropriate student training, developed by the District, will be made available to students and families to help familiarize them with procedures necessary to returning to in-person instruction. This student training will be reinforced and clarified within the first week of returning to broad in-person instruction at the school site. To the extent needed, one (1) of these days preceding the commencement of broad in-person instruction will be used to allow interested staff to go through building safety practices and procedures in person so they are familiar with them prior to students returning. A physical or virtual site walk through shall be provided to any interested staff prior to the return to in-person services.
- 4. Elementary Conferences:** To be responsive to our staff and families' needs at this time, for the 2020-21 school year elementary educators have the option of conducting conferences on six dedicated days. Conferences may be conducted the afternoons of October 12, 13 and 14, 2020 as scheduled AND/OR November 23, 24 and 25, 2020. Building Leadership Teams will help coordinate a school-based plan for conferences. For conferences that are shifted to November, educators may still also use the afternoons of October 12, 13 and 14 to connect with students and families who educators determine need the connection earlier than November. During conference afternoons, students are expected to engage in independent asynchronous learning as coordinated by teachers; teachers are not expected to lead small groups on these dates. In the event that schools have returned to in-person instruction, affected staff and students will follow current early release procedures as described in the CBA.
- 5. Elementary Specialists:** Full-time elementary specialists serve students in grades K-5 with 28-30 contacts per week. To minimize specialists' exposure to nearly 500 students per week in person, specialists will provide all instruction remotely for the remainder of the 2020-2021 school year.
- a. **Specialist Schedules:** The live synchronous schedule for specialists and their assignments will be adjusted no later than the last workday in December. Specialists will be surveyed for ranked individual preferences in assignment for the remainder of the 2020-2021 school year. Every effort will be made to meet these ranked preferences.

- b. **Specialist Grading:** For the duration of the 2020-2021 school year, elementary specialists will not be required to report grading for students so as to alleviate workload issues.
 - c. **Specialist Participation in Student Conferences:** Due to limited number of contacts with individual students thus far, for the duration of the 2020-2021 school year, elementary specialists will not be required to participate in conferences for students so as to alleviate workload issues. During these designated conference times, Specialists will have the opportunity to continue work on their other professional responsibilities.
6. **Elementary Schedules:** In the event of a broader reopening of in-person services at schools, elementary school schedules while operating under a hybrid system for the 2020-2021 school year will be adjusted from traditional school days as follows.
- a. **Planning Time:** To provide classroom teachers with their contractual planning time of 40 minutes, four days per week, the elementary in-person student day will allow for banking of planning minutes for use on Wednesdays before early release time.
 - b. **Wednesday learning:** Wednesdays will remain fully remote for all elementary grade levels, K-5, for the remainder of the 2020-2021 school year.
7. **Class Size and Staffing Conditions:** All class size and staffing conditions below must be met for all affected classes at least five (5) work days prior to any return to broad in-person hybrid instruction and maintained throughout the duration of the hybrid model at any BSD school site as follows:
- a. The number of students enrolled in an educator’s class roster must be low enough to allow for safe adherence to Department of Health physical distancing guidelines for the assigned classroom space prior to returning to in-person instruction.
 - b. Any classrooms requiring multiple adults (ex: co-teachers, GSAs, paraprofessionals, etc.) shall include these individuals in the calculation of the total number of individuals present to meet safe physical distancing guidelines.
 - c. In order to maintain the healthiest and safest learning environment possible in the circumstances, students who enroll partway through the year will only be placed in sections where it is assured that all physical distancing requirements can still be met with the addition of another student. This may mean enrollment in virtual learning or an alternate school site that has adequate space.
 - d. Every attempt possible will be made to create an even distribution of students between A and B sections in an educator’s hybrid schedule class rosters provided the physical setup supports this provision.
8. **Wednesday Instructional Time:** In order to provide additional educational support and access to students, beginning the first Wednesday of second quarter (November 18), Wednesday instructional time as described in the “Impact of the Pandemic of Coronavirus for the 2020-2021 School Year” MOU will become synchronous time instead of asynchronous time. The content of this synchronous time is up to the discretion of individual educators in both elementary and secondary classes. The intent of this change is to best support student learning during an extended virtual learning timeframe.

Elementary staff and students will move to having up to the first 90 minutes of Wednesday’s learning time available for synchronous instructional time, with the remainder staying as asynchronous time. For secondary staff, the rotating Wednesday class schedule and times

previously identified will remain in place to maintain consistency while moving from asynchronous to synchronous time.

In the event a holiday occurs during a school week, schedules will be adjusted to simply maintain two synchronous contacts with students for that week. A listing of how this will look for remaining holidays for the 2020-2021 school year will be provided no later than November 18, 2020.

9. Period 8 Usage: For the remainder of the 2020-2021 school year, times designated as Period 8 within the student schedule will continue to be available for previously described uses as well as for individual educator planning time.

10. Building Use: In order to allow for greater ease of delivery and more robust instruction to students learning in virtual environments, educators may choose to go into buildings and use classrooms, resources, and equipment beginning November 12, 2020. All provisions regarding procedures for cleaning, safety, and health will be in place by this date and will be followed by staff choosing to provide instruction from school buildings. Because some classrooms and spaces are already in use for services, not all classroom spaces will be available for instruction immediately. Educators wanting to make individual use of classroom space should check with building administrators regarding availability. These spaces should become available for use by no later than November 30, 2020.

Select buildings will be opened for use by students to have increased access to internet/Wi-Fi, support for learning, and/or access to mental health services. Any buildings reopening for such services will follow the guidelines set out in the “Plans for Targeted In-Person Services in Schools” section of this MOU.

11. Student Success: In order to ensure the continued academic and social growth and success of students upon a broad return to in-person instruction, the following standards, practices, and procedures shall be in place.

- a. District communication on student expectations shall be provided to all students and families through multiple means and languages. Grading, attendance, and discipline data disaggregated by race and Free and Reduced Lunch (FRL) status shall be reviewed in Meet and Confer to discuss adjustments that may need to be made to virtual and in-person hybrid learning.
- b. If students are adversely impacted (i.e. lack of technology access, transportation, food insecurity, caring for family members), every effort will be made to mitigate those impacts to including discussions about alternative learning environments, personalized credit recovery services, etc. as described in the “Plans for Targeted In-Person Services in Schools” section of this MOU.

12. Plans for Targeted In-Person Services in Schools: In recognition of the fact that one-size-fits-all solutions are not as effective as specific individualized ones carried out by building staff who best know the needs of their students, the following guidance will apply to planning targeted in-person services provided at a school site. The primary educational goal of such services is to advance the agency of disenfranchised students and to support their educational and/or mental health needs. These services will be in addition to existing in-person services provided at this time.

Building staff proposing targeted in-person services will do the following when planning any such programs:

- a. Use the following student groups/descriptors for prioritization of targeted in-person services plans:
 - i. Serving our youngest learners
 - ii. Serving students with disabilities
 - iii. Serving students experiencing homelessness (McKinney-Vento)
 - iv. Serving students demonstrating difficulties with accessing or success in virtual learning (ex: students with a high number of absences, students with a high number of D and F grades as of the quarter, students with a high number of “I” designations from last year, students reporting difficulty consistently connecting to virtual classrooms).
- b. Identify student cohorts or small groups fitting the descriptions above that targeted services will serve by drafting a plan answering:
 - i. Which student groups (e.g., racial/ethnic, students with disabilities, English language learners, students struggling with accessing virtual learning) are most affected by this? What are the potential and intended impacts on these groups?
 - ii. Does this ignore or worsen existing disparities or produce other intended or unintended consequences that may impact any particular student and family groups? How?
 - iii. How does/could this promote opportunity or access for those who have been historically excluded? How can this benefit students equitably?
 - iv. How does serving the identified group fit (or not) with School Improvement Plans?
 - v. Have provisions been made to provide necessary supports (e.g., training, resources, time, etc.) for implementation? What are the needed supports and timeline?
 - vi. What measurable outcomes will be monitored for evaluation of success and impact (intended and unintended)? What is the timeline and process for monitoring, evaluating, and updating as needed?
 - vii. What parent/guardian outreach has been conducted to engage them in an interactive process that ensures broad support for in-person services?
- c. Create a plan for equitably soliciting volunteers from the staff who will provide targeted services, including descriptions of what responsibilities will be removed from those volunteers and what remedies will be provided to address workload imbalances.
- d. Identify space and total capacity limitations for targeted services in order to avoid overcrowding or the need to turn students away due to health and safety guideline restrictions (ex: supervision requirements, large numbers of contacts/exposures, physical distancing, etc.).
- e. Have the Building Leadership and Racial Equity and Inclusion Teams indicate their support of any plans for targeted services meeting school, district, and community goals.
- f. Have the school nurse sign their approval that targeted service plans meet all safety and health requirements.
- g. Have the transportation department sign their approval of any transportation needs required by targeted services.

- h. Have nutrition services staff sign their approval of any meal distribution needs required by targeted services.
- i. Have custodial services staff sign their approval of any needs required by targeted services.
- j. Have Human Resources sign their approval that all contractually related items are in compliance.
- k. Submit completed plans as described above to the relevant Executive Director and the Human Resources department for review during Meet and Confer.

Final approval of all school-based plans for extending in-person services will be by BSD's Executive Team. Three weeks after the initial commencement of any Targeted In-Person program at a school site, all affected staff will convene to conduct a programmatic review including assessment of conditions, effectiveness, successes, and challenges of the program.

13. Quarantining Protocols: If a person has been confirmed/diagnosed with COVID-19 in the school building, trained staff will lead contact tracing. All close contacts of someone with a confirmed case of COVID-19 will be sent home to quarantine for 14 days. If two or more positive COVID-19 cases are confirmed in individuals within any in-person program within a 14-day period, all individuals within that program will be sent home to quarantine and resume remote learning for 14 days. Considerations for closure of an entire school for 14 days will be made in consultation with King County Public Health. For questions about leave considerations connected to such quarantining requirements, please see the previous Impact of the Pandemic of Coronavirus for the 2020-2021 School Year MOU.

14. Additional Provisions for Staff Providing In-Person Services:

- a. **Leaves:** Flexibility for staff providing in-person services in terms of accessing leave will be allowed under the provisions of Article 17, Section 13 and considered on a case by case basis. This may include but is not limited to a variety of options including access to dedicated substitutes, access to specially dedicated leave, and/or other options. Approval of these leave options will be subject to review between BEA and BSD at Meet and Confer.
- b. **Childcare:** Staff who are required to provide in-person services will have priority consideration for available slots in district sponsored childcare programs.

15. Safety and Discipline Related to COVID-19: The safety and security of our students' and staff's health is of paramount importance during a time of increased risk. As a result, it is our collective responsibility to ensure that all students and staff have a clear understanding of the policies and procedures established by the School Board to keep us all safe under current circumstances. The following section is intended for parents, staff, and students to have clear guidance on their disciplinary rights and responsibilities related to health and safety. Safety and Discipline procedures during this time will remain consistent with building and district policies and standards with an emphasis on the fact that the safety and health of staff and students is the district's first priority.

- a. Students shall be required to follow all special safety protocols developed by school buildings and the district in response to COVID-19 and in-person schooling.
- b. All students will wear a face covering, except as permitted by CDC Guidelines.

- c. Students will be provided age and culturally appropriate instruction on face coverings, hygiene, and physical distancing within the first week of a return to in-person school services.
- d. Students new to the district after the start of the school year, will be provided opportunity to review health and safety protocols as determined by the school.
- e. All disciplinary policies, procedures, and conditions as contained in the Collective Bargaining Agreement will remain in effect.
- f. In the event a student willfully and knowingly violates safety protocols towards an employee in a manner that may cause harm (for example, purposefully removing a mask and coughing or sneezing on the employee), the administrator or designee will take appropriate disciplinary action treating such an offense as high risk behavior, which may result in the student's removal from the learning environment in accordance with Board Policy 3241 and may be subject to discipline under Board Policy 3207 for Harassment Intimidation or Bullying. Consequences for infractions will be consistent with those outlined in Board Policy 3241P Exhibits A and B. The District shall pay for any out-of-pocket costs for COVID-19 testing for any potentially affected employee. Such an incident shall be deemed assault behavior as defined in Article 6, Section 8 of the CBA and employees shall be afforded all additional protections and compensation described under this provision.

16. Virtual Environments: The District and the Association collectively recognize that the safety and health of students and staff is not limited to physical spaces, but online ones as well. The well-being of students and staff in a safe, supportive, and cohesive classroom environment is a right that can be expected regardless of whether that classroom is in person or virtual in nature. The following guidelines are intended to ensure the appropriate protection of individual rights and responsibilities for students and staff in virtual environments, as well as to provide clarity on how existing School Board policies and procedures will be applied in the protection of those virtual spaces.

- a. Inappropriate actions on a student's camera or in district approved online platforms should be addressed consistent with classroom management protocols and reported to the administrator. Employees shall not be held responsible for student actions on camera or approved platforms in a virtual environment.
- b. Any live sessions conducted with students will not be required to be recorded. If the employee opts to record, they will let the audience know. Educators will be informed about any students who are excluded from being recorded by the District in order to protect and preserve the privacy rights of those students and their families.
- c. During live/synchronous virtual sessions, building and classroom discipline expectations should be followed. Building and classroom discipline procedures will be adhered to in the virtual setting (i.e. Positive Behavioral Interventions and Supports (PBIS), conferring with students one-on-one regarding behavior, etc.).
- d. In accordance with the Collective Bargaining Agreement and state law, the ability of an educator to exclude a student from class remains in place for behavior violations, including extreme disruptions to the learning environment. This is intended for the protection of others within the learning environment. In such cases, the employee will notify the principal at the end of the online session or within a reasonable amount of time.
- e. Students who repeatedly disrupt the virtual learning environment will be removed from the session and referred to the appropriate administrator and will not be admitted back

into the virtual classroom setting until the educator and administrator have conferred regarding actions taken (inclusive of contacting parents, developing a plan for appropriate behavior upon return, etc.). Consequences for infractions will be consistent with those outlined in Board Policy 3241P Exhibits A and B regarding Computer Misuse and/or Harassment Intimidation and Bullying depending on the nature of the disruption.

17. Precedence: This MOU shall be in effect for the 2020-2021 school year, terminating July 31, 2021 unless expressly extended by mutual agreement of both parties. Unless expressly identified in this MOU, all other provisions of the CBA shall remain in full effect. This MOU is non-precedence setting and is intended to address the specific and unprecedented circumstances presented by the response to the COVID-19 epidemic during the 2020-2021 school year.

18. Issues left to consider: Given the evolving and dynamic nature of the COVID 19 pandemic, BEA and BSD agree that not all issues have been discovered or resolved. Both parties will continue to meet regularly through the 2020-2021 school year to discuss these items (ex: hybrid reopening staffing impacts, evolving safety concerns, necessary changes for second semester, broadcasting of class sessions, mixed hybrid and virtual classes, etc.).

19. Monitoring and Oversight: The parties agree to monitor the provisions of this MOU and related components of the Collective Bargaining Agreement to ensure the health and safety of staff, the consistency and efficacy of the work and educational environment, and the adherence to and interpretation of these provisions. Oversight shall be through the regularly scheduled Meet and Confer meetings throughout the 2020-2021 school year.

Date: 11/9/2020

For the District:
Eva M. Collins

Eva Collins
Deputy Superintendent
Bellevue School District

For the Association:

Allison Snow

Allison Snow
President
Bellevue Education Association